

Claim 1 recites a decoding apparatus comprising, *inter alia*, “a pickup configured to read mainstream packet data and sub-audio packet data corresponding to the mainstream packet data from the optical disc; a mainstream decoder configured to decode the mainstream packet data; a sub-audio decoder configured to decode the sub-audio packet data, a mainstream system time clock counter ... used for decoding the mainstream packet data ...; and a sub-audio system time clock counter ... used for decoding the sub-audio packet data ... and is independent of the system time clock sequence of the mainstream system time clock counter, ... wherein the sub-audio system time clock counter continuously increases even if a user inputs a reverse play or forward play command” (emphasis added). Claims 32 and 34 recite similar features. Applicants respectfully submit that Nonomura et al., Baldwin et al., and Kumar et al., even when combined, fail to teach or suggest at least these features.

Kumar et al., which was cited for allegedly teaching that “the sub-audio system time clock counter continuously increases even if a user inputs a reverse play or forward play command,” teaches only that the user “has control of the audio 1410 independently of the video displays and may alter the audio to his needs.” Col. 6, ln. 61-62. Nowhere does Kumar et al. indicate any direction of the audio data. It should be appreciated that the arrows in FIG. 14 indicate only that a process may repeat, and not a direction of the processes. Kumar et al. presents no disclosure as to a reason to expect that the audio would not follow the play direction of the video, and the Office Action has not presented any additional evidence as to a reason why the person of ordinary skill in the art would modify the disclosures of the Nonomura et al., Baldwin et al., and Kumar et al. references in the manner proposed.

In order to show inherency, the Office Action must show “that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill. ... The mere fact that a certain thing may result from a given set of circumstances is not sufficient.” *See* M.P.E.P. § 2112(IV). In this case, the disclosure of Kumar et al. is insufficient to show that the sub-audio time clock necessarily continues to increase during a reverse video playback. It is just as likely that the audio clock would be adjusted in correspondence with the command, since the person of ordinary skill in the art would understand that the sub-audio packet data corresponds to the mainstream packet data. Since Kumar et al. does not necessarily disclose that the sub-audio system time clock continues to increase even when a forward play or reverse play command is input, the Office Action cannot rely upon an inherency argument.

Applicants respectfully submit that Kumar et al. does not disclose, teach, or suggest that “the sub-audio system time clock counter continuously increases even if a user inputs a reverse play or forward play command,” as recited in claim 1 and the similar features recited in claim 34. Nor does Kumar et al. disclose, teach, or suggest that the second system time clock counter continuously increases even if the forward play or the reverse play is selected, as recited in claim 32.

In addition, Kumar et al. only discloses that the user can display the work in the forward or reverse direction and has control of the audio 1410 independently of the video displays and may alter the audio to his needs. Col. 6, ln. 58-62.

However, Kumar et al. never teaches that the sub-audio system time clock counter continuously increases even if a user inputs a reverse play or forward play command. Since

Kumar et al. does not disclose sub-audio system time clock counter which is independent of the mainstream system time clock counter, surely, there is no sub-audio system time clock counter continuously increasing even if a user inputs a reverse play or forward play command.

The Office Action admits at page 3 that Nonomura et al. and Baldwin et al. fail to teach these features. Thus, Nonomura et al. and Baldwin et al. do not remedy the deficiencies of Kumar et al.

In addition, Kumar et al. is directed toward downloading data from the Internet (col. 1, ln. 8-10), and not toward an optical disc, as claimed. Baldwin et al. is directed toward retrieving television broadcasts. Col. 1, ln. 16. As such, Applicants respectfully submit that Kumar et al. and Baldwin et al. are not combinable with Nonomura et al. to reach the claimed invention.

Since Nonomura et al., Baldwin et al., and Kumar et al. do not teach or suggest all of the features of claims 1, 32, and 34, claims 1, 32, and 34 are not obvious over the cited combination. Claims 2-6 depend from independent claim 1 and are patentable at least for the reasons mentioned above, and on their own merits. Applicants respectfully request that the 35 U.S.C. § 103(a) rejection of claims 1-6, 32, and 34 be withdrawn and the claims allowed.

It is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, there being no other objections or rejections, this application is in condition for allowance, and a notice to this effect is earnestly solicited.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided below.

Respectfully submitted,

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